



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
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**GENERAL PERMIT FOR THE DISCHARGE TO THE GROUND
WATER OF STORMWATER RUNOFF FROM A PARKING LOT
WITH HIGH INTENSITY USE**

Date of Issuance:

Date of Expiration:

AUTHORITY FOR ISSUANCE

Pursuant to authority granted by Chapter 21, Section 26-53 of the Massachusetts General Laws, as amended and 314 CMR 5.00, the Massachusetts Department of Environmental Protection (the "Department" or "MassDEP") hereby issues the following general permit (the "General Permit") to regulate the discharge to the ground water of stormwater runoff from a parking lot with high intensity use (i.e. at least 1000 vehicle trips per day). A person granted coverage under the General Permit is a permittee authorized to discharge to the ground water stormwater runoff from a parking lot with high intensity use in accordance with all the terms and conditions of the General Permit. A violation of the terms and conditions set forth herein is a violation of the General Permit, 314 CMR 5.00 and M.G.L.c. 21, §§ 26-53. The Department has prepared a Fact Sheet for the General Permit. This Fact Sheet is incorporated and made part of the General Permit. The Fact Sheet outlines the factual and legal basis for the General Permit, identifies the type of facilities that are eligible for coverage under the General Permit and the process for requesting coverage under the General Permit.

(NAME & TITLE OF SIGNATURE)

(DATE OF SIGNATURE)

The permittee is authorized to discharge into the ground stormwater runoff from a parking lot with high intensity use provided the discharge complies with the requirements of the Stormwater Management Standards set forth in 314 CMR 9.06 as further elaborated by the Massachusetts Stormwater Handbook and the terms and conditions of this General Permit.

DISCHARGES NOT COVERED BY THIS PERMIT

The General Permit does not authorize direct discharges to surface waters of the Commonwealth including wetland resource areas. The General Permit does not authorize the discharge to the ground water of wastewater as defined in 314 CMR 5.02. Except as incidental to the operation of a parking lot with high intensity use with a Pollution Prevention Plan, Operations and Maintenance Plan, and stormwater best management practices (BMPs) that meet the requirements of the General Permit and the Stormwater Management Standards as further elaborated by the Massachusetts Stormwater Handbook, the General Permit does not authorize the discharge to the ground water of stormwater contaminated with process wastes, raw materials, toxic pollutants, hazardous substances, oil or grease. The General Permit does not authorize the discharge to the ground water of wash water from the washing of vehicles, machinery or equipment or the power washing of buildings. The General Permit does not authorize the discharge to the ground water of stormwater during construction. The General Permit authorizes the discharge to the ground water of stormwater runoff only after the site has been inspected for erosion and appropriate steps have been taken to permanently stabilize any eroded areas.

TERMS AND CONDITIONS OF THE GENERAL PERMIT

As more fully set forth below, the permittee shall meet the requirements of the General Permit and the Stormwater Management Standards set forth in 314 CMR 9.06 as elaborated by the Massachusetts Stormwater Handbook by:

Developing and implementing a Pollution Prevention Plan and an Operation and Maintenance Plan; and

By designing, constructing, operating and maintaining a stormwater management system.

THE STORMWATER MANAGEMENT SYSTEM

1. The Stormwater Management Standards as further elaborated by the Massachusetts Stormwater Handbook require that the stormwater be directed to a stormwater management system comprised of structural stormwater BMPs that are designed to treat the required water quality volume. The Massachusetts Stormwater Handbook provides that the required water quality volume equals one inch of runoff times the entire impervious area of the post development site. For a parking lot with high intensity use, the impervious area shall be the area of the parking lot.

2. Except as otherwise provided in Paragraph 7, the stormwater management system shall be comprised of structural stormwater BMPs that are designed and constructed in accordance with Standards 4 and 5 and if applicable Standard 6 of the Stormwater Management Standards as further elaborated by the Massachusetts Stormwater Handbook and that treat the required water quality volume and achieve removal of 44 % of the Total Suspended Solids (TSS) prior to discharge to an infiltration BMP and 80 % of the TSS prior to discharge to the ground.

3. Except as otherwise provided in Paragraph 7, the stormwater management system shall include infiltration BMPs that are designed and constructed in accordance with the Stormwater Management Handbook to discharge to the ground water the recharge volume required by Standard 3 of the Stormwater Management Standards as determined in accordance with the Handbook.

4. Except as otherwise provided in Paragraph 7, the structural stormwater BMPs incorporated into the stormwater management system shall be the BMPs designated by the Department as suitable for a land use with a high intensity use in the Massachusetts Stormwater Handbook and shall include an oil grit separator, sand filter, filtering bioretention area or equivalent oil control device.

5. Except as otherwise provided in Paragraph 7, if the discharge is within a Zone II or Interim Wellhead Protection Area or near a bathing beach as defined in 105 CMR 445.000, a cold-water fishery as defined in 314 CMR 9.02, a shellfish growing area as defined in 314 CMR 9.02, an Outstanding Resource Water designated in 314 CMR 4.00 or a Special Resource Water designated in 314 CMR 4.00, the stormwater management system shall be comprised of structural stormwater BMPs designated by the Department as suitable for such areas in the Massachusetts Stormwater Handbook. A discharge is near one of the areas mentioned in this paragraph, if there is a strong likelihood of a significant impact occurring to said area, taking into account site-specific factors.

6. Except as otherwise provided in Paragraph 7, the discharge shall not impair the actual or potential use of the ground water as a source of drinking water or cause or contribute to a violation of the Surface Water Quality Standards, 314 CMR 4.00. If the discharge may affect an impaired surface water, the stormwater management system shall include structural stormwater BMPs that are capable of removing the pollutant associated with the impairment. If a Total Daily Maximum Load (TMDL) has been developed for a surface water that may be impacted by the discharge, the stormwater management system shall be designed to ensure that the discharge is consistent with the TMDL.

7. If the parking lot with a high intensity use is a redevelopment as defined in 314 CMR 9.02, the stormwater management system shall be comprised of structural stormwater BMPs designed to meet the requirements of paragraphs 1-6 to the maximum extent practicable and to improve existing conditions in accordance with Standard 7 of the Stormwater Management Standards as further elaborated by the Massachusetts Stormwater Handbook.

8. On or before the date coverage under the General Permit is requested to begin or the date thirty (30) days after the date that the work that triggers the requirement to request coverage under the General Permit is complete, whichever last occurs, the permittee shall submit to the Department as-built plans for the stormwater management system along with a written explanation of any changes in the stormwater management system that occurred after the filing of the Notice of Intent.

OPERATION AND MAINTENANCE OF THE STORMWATER MANAGEMENT SYSTEM

9. The permittee shall develop and implement an Operation and Maintenance Plan in accordance with Standard 9 of the Stormwater Management Standards as further elaborated by the Massachusetts Stormwater Handbook. At a minimum, the Operations and Maintenance Plan shall include a schedule for inspecting and cleaning all components of the stormwater management system. The schedule in the Operations and Maintenance Plan for inspection and cleaning of each structural stormwater BMP shall conform to the inspection and maintenance schedules set forth in the Massachusetts Stormwater Handbook for that BMP. If no such schedule is provided, the schedule shall provide for monthly inspections followed by an annual cleaning in April and additional cleanings as necessary. All materials removed from stormwater BMPs shall be properly disposed of in accordance with all applicable state regulations including without limitation, 310 CMR 19.000, 310 CMR 30.00, and 310 CMR 40.0000.

10. If an Operations and Maintenance Plan for the stormwater management system was approved by the issuing authority under the Wetlands Protection Act within the past five years in response to a Wetlands Notice of Intent filed on or after January 2, 2008, the permittee may rely on the plan approved by the Wetlands issuing authority to fulfill the Operations and Maintenance Plan requirements of the General Permit.

POLLUTION PREVENTION PLAN

11. The permittee shall develop and implement a Pollution Prevention Plan in accordance with Standards 4 and 5 and, if applicable, Standard 6 of the Stormwater Management Standards. At a minimum, the Pollution Prevention Plan shall include an Illicit Discharge Prevention and Removal Program that meets the requirements of Standard 10 and is designed to eliminate and prevent the discharge to the stormwater management system of wastewater, or stormwater contaminated with process wastes, raw materials, hazardous substances, toxic pollutants, oil or grease and shall also include:

- Sweeping of all impervious surfaces to keep them clean of sand, litter and other possible pollutants at least quarterly including at least once between November 15 and December 15 after leaf fall and once during the month of April after snow melt;
- Proper management of solid waste, snow, and deicing chemicals in accordance with all applicable regulations and policies;
- A spill control and response plan to prevent spills in areas exposed to rainfall or to prevent spills from reaching areas exposed to rainfall; and

- Good housekeeping practices to ensure that all areas exposed to stormwater are kept in a condition to minimize the possibility of pollutants being discharged into the stormwater management system. At a minimum, these good housekeeping practices shall include weekly inspection of the parking lot for surface debris.

12. The Pollution Prevention Plan shall provide for the adequate maintenance of any vehicles, machinery or equipment stored on the parking lot.

13. The Pollution Prevention Plan shall provide that any material, wastes, or products stored outside on the parking lot are in sealed containers with adequate containment.

14. If the parking lot includes landscaped areas, the Pollution Prevention Plan shall include turf management and integrated pest management. If the discharge may impact a surface water that is impaired by excessive nutrients, the Pollution Prevention Plan shall include a nutrient management plan.

15. If the Pollution Prevention Plan was approved by the issuing authority under the Wetlands Protection Act within the past five years in response to a Wetlands Notice of Intent filed on or after January 2, 2008, the permittee may rely on the plan approved by the Wetlands issuing authority to fulfill the Pollution Prevention Plan requirements of the General Permit.

COMPREHENSIVE EVALUATION.

16. On or before the anniversary of the date that coverage under the General Permit is granted, the permittee shall conduct a comprehensive evaluation of the Pollution Prevention Plan, the Operations and Maintenance Plan, and the stormwater management system and determine if any changes are needed to ensure that the discharge meets the requirements of the General Permit and the Stormwater Management Standards as further elaborated by the Massachusetts Stormwater Handbook. The results of this evaluation shall be set forth in a Comprehensive Evaluation Report. The Comprehensive Evaluation Report shall recommend any changes that are needed to ensure compliance with the General Permit and the Stormwater Management Standards as further elaborated by the Massachusetts Stormwater Handbook and include a schedule for implementing the recommended changes. The Comprehensive Evaluation Report shall be made available to the Department upon request. The permittee shall implement any changes recommended in the Comprehensive Evaluation Report in accordance with the schedule set forth therein.

RECORD KEEPING AND REPORTING

17. The permittee shall keep a log of all actions taken to implement the Pollution Prevention Plan the Operations and Maintenance Plan and the recommendations set forth in the annual Comprehensive Evaluation Report. The permittee shall prepare an annual report (the "Stormwater General Permit Compliance Report") summarizing all actions taken to implement the Operations and Maintenance Plan, the Pollution Prevention Plan and the Comprehensive

Evaluation Report. The log and the Stormwater General Permit Compliance Report required under this General Permit shall be made available to the Department upon request.

18. If the discharge is located within the Zone II or Interim Wellhead Protection Area of a public water supply, the permittee shall submit the Stormwater General Permit Compliance Report to the Department on or before the anniversary of the date that coverage under the General Permit is granted. All such reports shall be submitted on a form approved by the Department and accompanied by the certification set forth in 314 CMR 5.14.

TERM OF GENERAL PERMIT.

19. The General Permit is in effect for a period of five years from the date of issuance.

RENEWAL OF COVERAGE

20. At least sixty (60) days prior to the expiration of the General Permit, the permittee shall submit on the Department approved form a Notice of Intent requesting the Department to renew coverage under the General Permit for a term of five years. Said Notice of Intent shall be accompanied by the Stormwater General Permit Compliance Report for each year since coverage under the General Permit was granted and the certification set forth in 314 CMR 5.14.

SUBMISSIONS

21. All submissions required by the General Permit shall be sent to the regional office that issues permits for discharges in the municipality where the discharge of runoff from the parking lot with high intensity use is located and the Program Director, Wastewater Management Program, Department of Environmental Protection, One Winter Street, 5th Floor, Boston, MA 02108.